UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV 19 2013

REPLY TO THE ATTENTION OF:

WC-15J

CERTIFIED MAIL 7009 1680 0000 7678 6379
RETURN RECEIPT REQUESTED

Mr. Lee Heeren
Illinois Environmental Protection Agency
4302 North Main
Rockford, Illinois 61103

Subject: EPA Oversight Inspection Report

Dear Mr. Heeren:

Enclosed, please find a copy of the U.S. Environmental Protection Agency Oversight Inspection Report for the oversight inspection conducted by U.S. Environmental Protection Agency at Meier Land and Cattle, LLC on September 17, 2013. The purpose of the EPA oversight inspection is to evaluate the Illinois Environmental Protection Agency inspection conducted on April 24, 2013 and subsequent findings at Meier Land and Cattle.

Should you find anything in the report that you disagree with, please provide a detailed response.

If you have any questions, please contact Joan Rogers of my staff at (312) 886-2785.

Sincerely,

Ryan J. Bahr, Chief, Section 2
Water Enforcement and Compliance Assurance Branch

Enclosures

cc: Bud Bridgewater, IEPA

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 5

CWA OVERSIGHT INSPECTION REPORT
ILLINOIS

The purpose of this document is to provide an evaluation of an Animal Feeding Operation inspection conducted by the Illinois Environmental Protection Agency (IEPA). This evaluation is conducted via comparison to a similar inspection performed by the U.S. Environmental Protection Agency (EPA).

Inspection facility	Meier Land and Cattle, LLC 3568 East McConnell Road Dakota, Illinois 61018
NPDES permit status	ILA010071
IEPA inspection date	04/24/13
EPA inspection date	09/17/13

Meier Land and Cattle is a medium beef cattle feeding facility in Stephenson County, Illinois. IEPA conducted an inspection at the site on April 24, 2013, and found compliance issues but no discharges of manure or process wastewater to surface waters (Attachment 1). On September 17, 2013, EPA conducted an inspection at the facility and also found the compliance issues but no discharges to surface waters.

Findings from the IEPA and EPA inspection are summarized below:

Area of concern	**Identified by IEPA April 24, 2013**
Silage mixing area on the southeast side of the production facility.	X
Comprehensive Nutrient Management Plan (CNMP) was out of date with the number of animals, a new cattle building not included and manure production numbers, etc., were all not accurate. Additionally, the crop rotation had been changed but was not updated in the CNMP, and the land applications of manure were projected only through the fall of 2011.	X
Pile of discarded bulk potatoes and potato chips stored outside on the concrete pad with the potential for feed runoff to Cedar Creek.	X
Runoff of processed wastewater from concrete pad by south commodity barn from spilled feed had the potential to reach Cedar Creek.	X
6000 gallon tanker of delactosed permeate on the facility driveway had the potential to cause significant environmental harm to Cedar Creek if there was a spill from the tanker or if vandals	X

caused a release.	
Runoff of processed wastewater from a pile of feed products in front of the North Commodity Shed and from track in/track out from the North Commodity Shed could potentially flow with precipitation to the intermittent unnamed tributary of Cedar Creek.	(This pile of feed products may not have been present during the IEPA inspection.)
Manure and process wastewater from the Cattle Working Area could flow to the vegetated area to the southeast of the Cattle Working Area via an opening in the concrete wall. The process wastewater had the potential to reach the intermittent unnamed tributary of Cedar Creek only 150 feet to the southeast.	
Required records for the NPDES permit were not being produced and maintained at the facility.	

The content of the inspection report is summarized below:

General Information

Included in Report?	**IEPA inspection April 24, 2013**
Date and time of inspection	Yes
Type and purpose of inspection	Yes
Facility information	Yes
NPDES or other ID number	Yes
Inspection participants listed	Yes

Facility Information

Included in Report?	**IEPA inspection April 24, 2013**
Facility description and areas evaluated	Yes
Description of NPDES regulated activities pertinent to the inspection	Yes
Regulated areas evaluated during inspection	Yes

Inspector Observations and Documentary Support of Observations

Included in Report?	**IEPA inspection April 24, 2013**
Narrative description of field	Yes

activities conducted	
Permit requirement	Yes
Observations made regarding permit requirements	Yes
Information to support the observations that are made	Yes
Inspection checklists	Yes. Illinois Environmental Protection Agency Livestock Facility Inspection Checklist
Corrective actions	N/A
Report date and signatures	Signature only

Inspection Report Sufficiency

INSPECTION	EVALUATION
IEPA inspection April 24, 2013	The information contained in the inspection report is sufficient for making a compliance determination.

Signature: Joan A Rogers **Date:** 11/19/13

Attachment:

IEPA Rockford Region Agricultural Field Inspection Report, April 24, 2013
IEPA Livestock Facility Inspection Checklist and Attachments, April 24, 2013
EPA Compliance Evaluation Inspection Report, October 28, 2013
EPA Aerial photograph of Meier Land and Cattle, LLC – Attachment A

CWA COMPLIANCE EVALUATION INSPECTION REPORT
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 5

Purpose:
Compliance Evaluation Inspection

Facility:
Meier Land and Cattle, LLC
3568 East McConnell Road
Dakota, Illinois 61018
42.427N, 89.544W

NPDES Permit Number:
ILA010071

Date of Inspection:
September 17, 2013

EPA Representatives:
Joan Rogers, Environmental Scientist 312-886-2785
rogers.joan@epa.gov

Ben Atkinson, Agricultural Scientist 312-353-8243
Atkinson.ben@epa.gov

State Representatives:
Lee Heeren, Ag Specialist 815-987-7760

Facility Representatives:
Eugene Meier Exemption 6 and Exemption 7C

Exemption 6 and Exemption 7C

Matthew Meier Exemption 6 and E

Exemption 6 and Exemption 7C

Report Prepared by:
Joan Rogers, Environmental Scientist

Report Date:
October 25, 2013

Inspector Signature Joan A Rogers 10/19/13

1. BACKGROUND

The purpose of this report is to describe, evaluate and document the Meier Land and Cattle, LLC's compliance with the Clean Water Act (CWA) at its Dakota, Illinois facility on September 17, 2013. This inspection was performed pursuant to Section 308(a) of the Federal Water Pollution Control Act, as amended.

Meier Land and Cattle (Meier) is a beef cattle Concentrated Animal Feeding Operation (AFO) in Stephenson County, Illinois. Meier has approximately 880 head of cattle and is considered a medium CAFO based on the number of cattle at the facility.

The facility is located adjacent to an intermittent unnamed tributary. The tributary flows to the south approximately 275 feet to perennial Cedar Creek. The flow goes southwest in perennial Cedar Creek for 11.2 miles until it reaches perennial Little Richard Creek. It then flows 3.6 miles to the Pecatonica River. The Pecatonica River is a Traditional Navigable Water.

Meier Land and Cattle was inspected by Mr. Lee Heeren of the IEPA on April 24, 2013. Mr. Heeren identified permit violations and areas of the facility that had the potential to cause discharges to surface water. The permit violations included an outdated Comprehensive Nutrient Management Plan (CNMP) with regard to the number of animals at the facility, new animal housing, amount of land used for manure applications, changes to crop rotation and outdated land application projections. Mr. Heeren identified spilled feed from feed mixing and the area in front of the Southern Commodity Shed as having the potential to discharge to the intermittent unnamed tributary of Cedar Creek. Also, Mr. Heeren was concerned with a potential discharge or spill from the 6000 gallon tanker of delactosed permeate (DLP) which Mr. Meier uses as a food additive. Mr. Heeren advised Mr. Meier to update the CNMP and to identify ways to prevent the spilled feed or a spill from the tanker from discharging to the intermittent unnamed tributary.

2. SITE INSPECTION

Table 1: Site Entry

Arrival Time:	9:25 A.M.
Temperature:	75°F
Precipitation:	None for 2-3 days.
Presented credentials and time presented?	Yes. Approximately 9:30 A.M.
Credentials presented to whom?	Eugene and Matthew Meier
EPA vehicle parked in approved location?	Yes
Location where EPA vehicle was parked?	By Machine Shed
Disposable boots worn?	Yes
Other bio-security measures taken:	None

2.1 Records Review (The following Records Review tables reflect information provided before the walk-through of the facility, unless otherwise noted.)

Table 2: Documents

Checklist(s) Used	
R5 CAFO Inspection Checklist	
Facility Documents Reviewed:	
CNMP	
If photographs or documents were taken, does the facility consider any to be Confidential Business Information (CBI)?	No
Which information does the facility consider to be CBI?	None

Table 3: Facility Description

Type of Animal	**Number of Animals**	**Capacity**	**Type of Confinement**
Beef Cattle	880	880	Open Confinement Barn
Minimum Number of Animals in previous 5 years:			Approximately 500
Maximum Number of Animals in previous 5 years:			880
Number of Animals that are stabled/confined and/or fed/maintained for 45 days or more in previous 12 months:			880
Amount of Manure Generated per year:			2.5 million gallons liquid and 75 tons solid
(Illinois Only) Name of Certified Livestock Manager for facility: (if 300 animal units or greater):			Eugene Meier and Matthew Meier
Does the facility have an NPDES Permit?			Yes: ILA010071
SIC or NAICS code:			0211
Other facilities under common ownership (name and address):			
None			

Table 4: Livestock Waste Storage

Type of Storage	**Storage Capacity**	**Type of Liner**	**Depth Markers Present**	**Last Time Waste was Removed**	**Amount of Waste Removed**	**Days of Storage**
Barn #1: 8' deep under barn pit	5 months then pumped to Manure Storage Pond	Concrete	No	Unknown	Unknown	150

Barn #2: 8' deep under barn pit	1.5 months then pumped to Manure Storage Pond	Concrete	No	Unknown	Unknown	45
Barn #3: 6' deep under barn pit	1.5 months then pumped to Manure Storage Pond	Concrete	No	Unknown	Unknown	45
Barn #4: 10' deep under barn pit	6 months	Concrete	No	Spring 2013	Unknown	180
Manure Storage Pond	1.3 million gallons	Clay	Yes	Spring 2013	1.3 million gallons	180
Records at site of storage structure design?				No		
Additional Information:				None		

Table 5: Livestock Waste Management

Describe the way manure is collected and disposed of at the facility:
Manure in the pits under Barn #1, #2 and #3 is pumped to the Manure Storage Pond. The manure in the pit under Barn #4 is land applied directly from the pit in the fall and the spring.
Describe the way used bedding is collected and disposed of at the facility:
No bedding is used.
Describe the way mortalities are managed at the facility:
Mortalities are rendered.
Describe the way spilled drinking water is collected and disposed of at the facility:
Spilled drinking water is collected with the manure in the pits below the barns and managed with the manure.
Describe the way mist cooling water is collected and disposed of at the facility:
There is no mist cooling system at the facility.
Describe how chemicals are stored and how used or spilled chemicals are collected and disposed of at the facility:
There are no chemicals stored at the facility.

Describe the way water that has been used to wash/flush barns is collected and disposed of at the facility:
The barns are not flushed.
Describe the way feed is contained and how runoff from feed is collected and disposed of at the facility:
Feed in the form of gluten, potatoes, corn stalks and potato chips is contained in a commodity shed. Cream of Wheat packets and taco shells were also contained in a commodity shed but there was also a pile of this feed on the ground in front of the shed. Runoff from track-in/track-out can flow with precipitation to the east. Delactosed permeate, a liquid protein, was stored in a 6000 gallon tanker to the south of the south commodity shed.
If a dairy, describe how process wastewater from the plate cooler water is collected and disposed of at the facility:
Not a dairy.
If a dairy, describe how process wastewater from the cleaning of the milking parlor is collected and disposed of at the facility:
Not a dairy
If a dairy, describe how process wastewater from the cleaning of the milk tanks is disposed of at the facility:
Not a dairy

Table 6: Land Application and Disposal of Manure and Process Wastewater

When was the last time a sample was taken of the manure and/or process wastewater?	June 2013
Describe the process to take the manure and/or process wastewater sample.	Agitate before grab sample. Samples are sent to Dairyland Lab for analysis.
Number of acres available for land application:	520 acres
Are land application records kept?	Yes
Is manure transferred off-site to another party?	No
Are manure transfer records maintained?	N/A

Table 7: Receiving Surface Waters

Describe the surface flow pathways:	
An intermittent unnamed tributary flows to the south 275 feet from the facility. The tributary flows south to perennial Cedar Creek approximately 350 feet. The flow goes southwest in perennial Cedar Creek for 11.2 miles until it reaches perennial Little Richard Creek. It then flows 3.6 miles to the Pecatonica River. The Pecatonica River is a Traditional Navigable Water.	
How many months out of the year is there flow in the nearest surface water pathway:	During the spring, during storms and from November through the winter in the intermittent unnamed tributary of Cedar Creek. Cedar Creek is perennial.

Are there any storm water pathways entering the facility?	No
Are there any clean water ponds on site?	No
What is the name of the first waterway that is a Traditional Navigable Water (TNW) for surface flow from the facility?	Pecatonica River
Is the surface water pathway nearest to the facility considered to be ephemeral, intermittent or perennial?	Intermittent.
Is the surface water pathway nearest to the facility considered to be impaired?	No

Table 8: Nutrient Management Plan

NMP on site?	Yes
Date NMP Submitted:	2007 with revision on 12/19/08 by Matt Wagner
Planner Name/Company:	Willet Hofmann
Storage Description:	Earthen Manure Storage Pond
Amount of Manure Generated:	2.75 million gallons liquid/75 tons solid
Capacity of Storage:	1.3 million gallons
Duration of Storage:	180 days
Amount of Spreadable Land:	520 acres
Mortality Management Plan:	Rendering
Clean Water Diversion System:	Yes
Direct Contact Prevention Plan:	Yes
Chemical Management Plan:	None needed
Conservation Practices:	Yes. Buffers and setbacks identified
Manure Testing Protocols:	Yes
Soil Testing Protocols:	Yes
Land Application Protocols:	Yes
Additional NMP comments:	CNMP was out of date with respect to the animal numbers, animal housing, crop rotations and land application recommendations.

Table 9: Land Application Records

Fields available for application this year:	EPA did not observe any land application records during the inspection.
Timing limitation on fields:	
Annual manure analysis for N and P	
Soil tests for fields (for P) less than 5 years old?	
Periodic inspection of land application equipment?	
Crop:	
Application Rate:	
Crop Yield Goals:	

Timing of land application:	
Method of land application:	
Additional land application information:	

Table 10: Facility Records

Diversion devices:	EPA did not observe any facility records during the inspection.
Impoundments:	
Depth marker observations:	
Water Lines:	
Mortality handling:	
Records at site of storage structure design?	
Overflow records:	
Crop Yields:	
Land Application Dates:	
Weather Conditions at time of application (24 before-24 after):	
Test Methods for Manure Testing:	
Test Methods for Soil Testing:	
Manure Test Results:	
Soil Test Results:	
Calculations of N and P applied:	
Application Methods:	
Application Equipment Inspection Dates:	

2.2 Walkthrough of the Facility

Upon arriving at the facility, EPA presented credentials and explained the purpose of the inspection to Mr. Eugene Meier and [redacted] Exemption 6 and E, Mr. Matthew Meier. The Meier's were anticipating the arrival of a cement truck and informed EPA and IEPA that once the truck arrived they would need to help work the cement. The cement being poured was for the pad in front of the South Commodity Shed. EPA assured the Meiers that they would be able to do their cement work when the truck arrived.

Before the arrival of the cement truck, EPA discussed the work that Mr. Eugene Meier had done as a response to the inspection by IEPA on April 24, 2013. In that inspection, Mr. Heeren identified the potential for discharge from the 6000 gallon tanker that sat on the facility driveway. The tanker held delactosed permeate (DLP), a protein by-product of whey. Mr. Heeren was concerned that a spill or vandalism on the tanker valve could cause a discharge to the intermittent unnamed tributary of Cedar Creek and then to Cedar Creek. Since then, Mr. Eugene Meier had fashioned a locking mechanism on the valve so it couldn't be tampered with.

IMGP0212: Mr. Meier constructed a cap for the pipe connection that can be locked with a padlock to prevent unauthorized release of DLP from the tanker truck.
Location: South of the South Commodity Shed
Facing: South
Date/Time: 09/17/13 9:33 A.M.

Mr. Eugene Meier also spoke about the concrete pad that was being installed in front of the South Commodity Shed. This pad would have an elevated lip on the west side that would prevent storm water from running over the pad and transporting any spilled feed. The owners also planned to sweep up any spilled feed immediately after feed mixing and loading or unloading feed from the commodity shed. In the interim, a dirt berm had been installed at the edge of the driveway to divert the storm water until the concrete pad was poured.

Mr. Eugene Meier had also placed concrete blocks on the east side of the driveway with a berm of agricultural lime in front of the blocks to prevent process wastewater from the driveway and concrete pad from flowing with precipitation to the intermittent unnamed tributary of Cedar Creek. The blocks had been partially moved to allow for the cement work to continue. The Meiers had also torn down an old commodity shed that was located on the west side of the driveway.

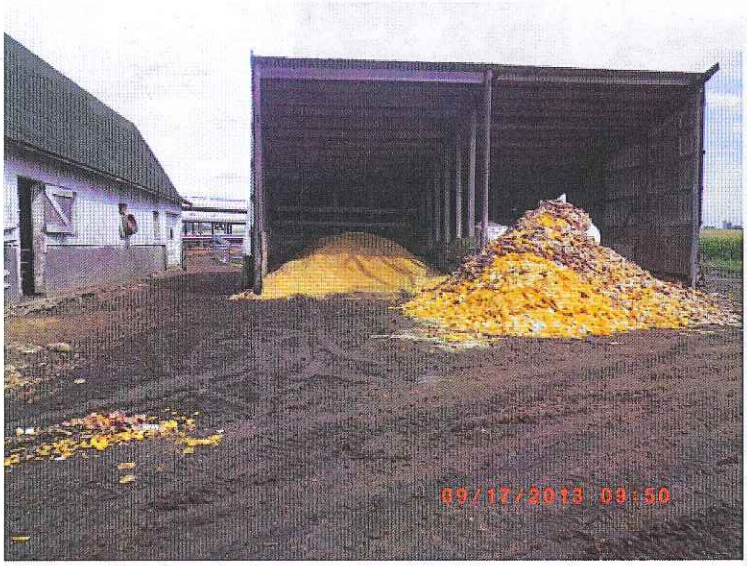
IMGP0217: Concrete blocks had been placed on the east side of the mixing area to prevent runoff to the intermittent unnamed tributary. Agricultural lime was placed on the west side of the blocks and dirt on the east side. The blocks were moved in preparation for the concrete delivery. Feed is temporarily stored here while the South Commodity Shed pad was being poured.
Location: East of the mixing area
Facing: South
Date/Time: 09/17/13 9:37 A.M.

After the discussion about the work being done at the front of the facility, EPA requested to view the CNMP and any records in support of the CNMP. Mr. Eugene Meier left to go to the house to retrieve the requested documents. He arrived back to the facility with the CNMP but stated that he did not have any other documents or records. Just then, the cement truck arrived and EPA and IEPA reviewed the CNMP without either of the owners being present.

The CNMP had not been updated since the April 2013 inspection by IEPA, even though Mr. Heeren had observed that it was out of date and did not have the most current information about the facility. The CNMP was signed on February 9, 2009 and was developed for the time period of January 2008 through December 2011. The CNMP only listed 550 animals although an additional 330 head was added based on the number of animals that Mr. Meier stated he had at the facility on the day of the inspection. The amount of acres available for land application was not correct, nor was the crop rotation, manure application recommendations and number of animal confinement buildings. Mr. Meier stated that he performed soil testing every four years, and most recently in 2013, but he could not locate the records. There were no other records with the CNMP.

EPA and IEPA began the walk around of the facility without either Mr. Eugene or Mr. Matthew Meier.

In front of the North Commodity Shed, there was a pile of raw materials and a pile of taco shells and Cream of Wheat packets. Runoff of process wastewater from the feed and raw materials could flow down the driveway west of the Old Dairy Barn or to the east and to the Cattle Working Area.



IMGP0220: North Commodity Shed has a pile of taco shells and Cream of Wheat packets out in the open. Runoff from this area could flow with precipitation either down the driveway west of the Old Dairy Barn or to the east and through the Cattle Working Area.
Location: North of Old Dairy Barn
Facing: North
Date/Time: 09/17/13 10:50 A.M.

IMGP0222: Precipitation pathway from the North Commodity Shed to the east.
Location: North of Old Dairy Barn
Facing: North
Date/Time: 09/17/13 10:52 A.M.

EPA walked to the east to Barn #1. The cattle in Barn #1 had recently been removed and the barn was empty. Slats in the floor of the barn allow manure to fall into an eight foot deep pit below the barn. The manure in the pit is pumped to the earthen Manure Storage Pond approximately every five months.

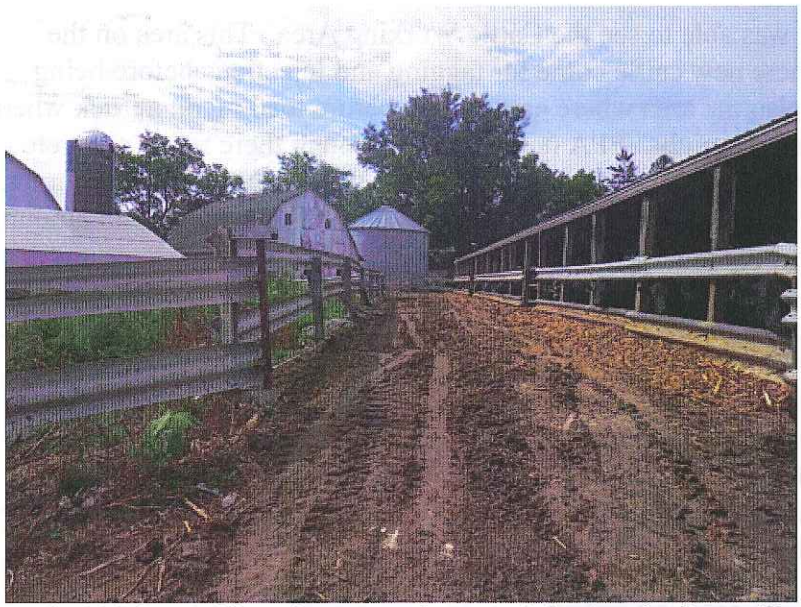
From inside the barn, EPA was able to see the Cattle Working Area. This area on the south side of Barn #1 is where new cattle come for tagging and injections before being transferred to a barn. It is also the area where cattle come before loading on a truck when they have reached their market weight. EPA noticed that although there was a concrete wall around the Cattle Working Area, there was a gap in the wall at the southwest corner. This corner is also the lowest point. EPA also noticed that there was a significant amount of manure in the Cattle Working Area.

Mr. Eugene Meier joined EPA and IEPA and explained that precipitation that falls on the roof of Barn #1 and on the Cattle Working Area would flow out at that location. From there it would flow to the vegetated area to the east of the concrete pad for the southern commodity shed. The intermittent unnamed tributary of Cedar Creek is approximately 275 feet to the southeast of the relief point in the wall of the Cattle Working Area. Mr. Meier stated that it would be very difficult to scrape the Cattle Working Area because the concrete floor was cracked.

IMGP0229: Southwest corner of the Cattle Working Area where manure and process wastewater are not contained.
Location: Cattle Working Area
Facing: South
Date/Time: 09/17/13 10:54 A.M.

EPA and IEPA walked with Mr. Eugene Meier to the north to Barn #2, Barn #3 and Barn #4. Although the feed in front of Barn #2 was open to precipitation, EPA did not observe

any runoff pathways to the east. The feed lane of Barn #3 was covered by an overhang in the roof. Both Barn #2 and Barn #3 have pits below the barns that have manure storage capacity of approximately 1.5 months. The manure is pumped from both pits to the Manure Storage Pond.



IMGP0236: Feed lane is exposed to precipitation for Barn #2.
Location: East of Barn #2
Facing: Southwest
Date/Time: 09/17/13 11:23 A.M.

IMGP0240: South side of Barn #3. Feed in feed lane is kept under roof overhang.
Location: East of Barn #3
Facing: West
Date/Time: 09/17/13 11:26 A.M.

To the west of Barn #3 is the newest open confinement barn at the facility, Barn #4. This barn has a ten foot pit below the barn with approximately six months of storage. The manure is land applied directly from the pit in the fall and spring. The feed lane is covered by a roof overhang.

IMGP0244: South side of Barn #4. This barn has a ten foot pit that is pumped out and directly land applied twice per year. The feed is covered somewhat by an overhang of the roof.
Location: Southeast corner of Barn #4
Facing: West
Date/Time: 09/17/13 11:31 A.M.

The Manure Storage Pond lays to the south of Barn #3 and #4. Between the barns and the pond is a confinement area for injured cattle. There were approximately ten head of cattle in this area. The confinement area for these animals also allowed them to access an area south of the Manure Storage Pond.

IMGP0243: Injured animals are confined in the space north and east of the Manure Storage Pond. They are also able to access an area south of the Manure Storage Pond.
Location: West of Barn #3
Facing: Southeast
Date/Time: 09/17/13 11:30 A.M.

EPA walked around the berm of the Manure Storage Pond. In the locations where the manure was pumped to the pond, the berm had been eroded and there were gouges in the berm wall. EPA also noted a couple of burrowing animal holes. The vegetation on the berm was not kept short and EPA estimated that there was approximately four feet of freeboard in the pond. The depth marker was located on the north side of the pond.

IMGP0245: The Manure Storage Pond appeared to have about four feet of freeboard.
Location: Northwest corner of the Manure Storage Pond
Facing: Southeast
Date/Time: 09/17/13 11:37 A.M.

IMGP0247: Erosional feature from where hosing is laid when manure is pumped to the Manure Storage Pond.
Location: Southeast corner of the Manure Storage Pond
Facing: Northwest and down
Date/Time: 09/17/13 11:39 A.M.

EPA walked east to the dry pathway for the intermittent unnamed tributary of Cedar Creek. Tall vegetation was in the tributary bed and EPA walked the pathway to the south. Corn was planted in the field to the west between the intermittent unnamed tributary and the facility.

At the southeastern corner of the corn field, EPA observed two dead cattle that had been placed on the bank of the waterway. The cattle were in an advanced state of decomposition and there were pools of maggots around the carcasses.

IMGP0251: EPA walked down the (dry) intermittent unnamed tributary from east of Barn #2 to Cedar Creek. Southeast of Barn #1, EPA observed two dead cattle lying on the bank of the tributary.
Location: Southeast of Barn #1 on bank of intermittent unnamed tributary
Facing: Northwest
Date/Time: 09/17/13 11:51 A.M.

IMGP0253: Mortalities were covered with maggots.
Location: Southeast of Barn #1 on bank of intermittent unnamed tributary
Facing: Down
Date/Time: 09/17/13 11:51 A.M.

EPA noted that the culvert for the intermittent unnamed tributary under McConnell Road did not appear to have any buildup of manure solids on the day of the inspection.

EPA walked to the concrete pad for the South Commodity Shed where Mr. Heeren, Mr. Eugene Meier and Mr. Matthew Meier were waiting. EPA stated that two mortalities were found on the bank of the intermittent unnamed tributary. Mr. Eugene Meier stated that they put the mortalities there because the animals died on the previous Friday in 90°F temperature and the rendering service did not pick up animals until Monday. He also stated that he hoped that we wouldn't see them during the inspection. EPA advised him to bury the mortalities immediately, especially since a significant rain was forecasted for the following day.

EPA provided Mr. Meier with a closing conference and identified the areas of concern and the lack of records that are required for compliance with the permit. EPA removed the disposable boots and left them at the facility. EPA exited the facility at 12:50 P.M.

2.3 Closing Conference and Post-Inspection

Table 11: Post Walk-Through

Were specific "Potential Violations" discussed with facility personnel and with whom?	Yes, with Mr. Eugene Meier
Were specific "Areas of Concern" discussed with facility personnel and with whom?	Yes, with Mr. Eugene Meier
Compliance assistance materials given to facility personnel:	
Concentrated Animal Feeding Operations Final Rulemaking – Fact Sheet	
U.S. EPA Small Business Resources Information Sheet	
NRCS Most Common Conservation Practices for Confined Livestock Fact Sheet	
Tax Certification Program for Livestock Waste Management Facilities Fact Sheet	
Environmental Quality Incentives Program (EQIP) Brochure	
Exit Time:	12:40 P.M.
Disposable Boots Left at Facility?	Yes
Vehicle Washed after leaving facility?	Yes
Date and Time that vehicle was washed:	September 18, 2013 at approximately 7:45 A.M.

Table 12a: Sampling Information

Were samples taken?	EPA did not take any samples during the inspection.
Were samples split with facility?	
Number of samples taken?	
Was a trip blank created (done prior to entering the facility)?	
Identify which sample is the trip blank.	
Were field duplicate samples taken (1 duplicate per 20 samples)?	
Identify which sample(s) is/are the field duplicate(s)	
Were equipment blanks taken (if more than one type of equipment was used to collect samples)?	
Identify which samples were equipment blanks.	
List chain of custody for fecal coliform samples:	
List chain of custody for nutrient and general chemistry samples:	
Location where samples were preserved:	
Name of people involved with sample preservation:	
Time of sample preservation:	
Were samples shipped to a lab?	
Name/Address of shipping location:	
Date and time that samples were dropped off for shipping:	
Weather conditions at the time of sample collection:	
Camera name and type used to photograph sample collection:	

3. PERMIT VIOLATIONS

EPA observed these permit violations:

1. The Nutrient Management Plan was not representative with respect to the animal numbers, the animal confinement buildings, the crop rotations, the land application acres, and the planned land application recommendations.
2. There were no records of:
    a. the weekly inspections of the level of manure in the Manure Storage Pond;
    b. weekly inspections of the structural integrity of the livestock management and waste handling facilities;
    c. quantity of manure removed from the Manure Storage Pond every time it was dewatered;
    d. land application records;
    e. manure analysis;
    f. mortalities;
    g. weekly inspections of the storm water diversions, et al;
    h. daily inspections of water supply lines, et al;
    i. the design of livestock waste handling facility;
    j. current calculations for the amount of nitrogen and phosphorus to be applied to each field; and
    k. current amounts of nitrogen and phosphorus applied to each field.

4. AREAS OF CONCERN

EPA observed these areas of concern:

1. Manure and process wastewater could flow out of the Cattle Working Area at the southwest corner to the vegetated area and then to the intermittent unnamed tributary of Cedar Creek. The intermittent unnamed tributary is approximately 150 feet to the southwest.
2. Process wastewater from the mortalities that were placed on the bank of the intermittent unnamed tributary would flow to the tributary.
3. The berm of the Manure Storage Pond was being eroded from the flow of manure being pumped to the pond from the under barn pits.
4. The vegetation on the berm of the Manure Storage Pond was not mowed and there were holes from burrowing animals in the berm.

5. LIST OF ATTACHMENTS

A) Aerial photograph of Meier Land and Cattle with buildings, waterways and discharge pathways labeled.


ATTACHMENT A
Meier Land and Cattle, LLC
3568 E. McConnell Road
Dakota, IL 61018
Stephenson County
42.427N, 89.544W
N
Barn #4
Barn #3
Barn #2
Manure Storage Pond
North Commodity Shed
Feed Pile
Barn #1
Cattle Working Area
Old Dairy Barn
South Commodity Shed
New Concrete Pad
Old Commodity Shed
Machine Shed
Mortalities
Cedar Creek
McConnell Rd
19
19
Legend
Meier_AOC
Meier_Facilites
NHDFlowline_0709
FCode
Stream/River: Hydrographic Category= Ephemeral
Stream/River: Hydrographic Category= Intermittent
Stream/River: Hydrographic Category= Perennial
0
0.015
0.03
0.06 Miles
bing
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